

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

KENNETH A. ELAN, individually and on behalf of all others similarly situated,

Plaintiffs,

- against -

MCAFEE, INC.,

Defendant.

Civil Action No. 10 CV 2061 (GBD)

**STIPULATION**

WHEREAS, Plaintiff filed a summons and complaint asserting certain claims against McAfee, Inc. (the "Defendant" and the "Complaint") on or about March 10, 2010, in the United States District Court for the Southern District of New York; and

WHEREAS, Defendant, by its counsel, has agreed to accept service of the Complaint; and

WHEREAS, the parties to this action have agreed it is desirable to set a date for Defendant to respond to Plaintiff's Complaint;

**IT IS HEREBY AGREED THAT:**

1. Defendants shall have up to and including June 2, 2010 to respond to Plaintiff's Complaint.

2. Nothing herein shall be deemed to be an admission of liability on the part of Defendant.

3. Nothing herein shall be deemed a waiver of any other applicable defense or objection to this action.

Dated: New York, New York  
April 19, 2010

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